



# PUBLIC NOTICE

Federal Communications Commission  
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DA 05-1272  
April 29, 2005

## COMMENTS INVITED ON APPLICATION OF QWEST CORPORATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 05-178  
Comp. Pol. File No. 708

Comments Due: May 31, 2005

### Section 214 Application Applicant: Qwest Corporation

On April 15, 2005, Qwest Corporation (Qwest or Applicant) located at 1801 California Street, Denver, Colorado 80202, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue two domestic services, DS1 radio interface service channel termination (DS1 radio interface)<sup>1</sup> and DS3 radio interface service channel termination (DS3 radio interface),<sup>2</sup> currently offered throughout Qwest's 14-state region in Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington and Wyoming. In a letter filed April 29, 2005, Qwest clarified certain statements in its initial application.

Qwest indicates that DS1 radio interface and DS3 radio interface is a point-to-point private line service designed to be carried from the customer's premises to the Qwest serving wire center over a microwave link. Qwest states that the product is intended to provide a DS1 or DS3 service to customer locations that are too remote to be connected by a traditional copper loop. Qwest adds that customers may choose a traditional wireline service from Qwest's tariff for the connection from the Qwest serving wire center to another location. Qwest states that the equipment that it would use to provide these services has been discontinued and as a result it can no longer provide the services. Qwest indicates that it does not have any customers for either service and has never had any customers in the approximately ten years that it has offered these services. In addition, Qwest indicates that its proposed discontinuance will serve the public interest and benefit consumers by minimizing the time that Qwest lists those services in its tariff that Qwest is no longer capable of providing. Qwest asserts that standard DS1 service is an alternative to DS1 radio interface, and standard DS3 service is an alternative to DS3 radio

<sup>1</sup> DS1 radio interface is listed in Section 7.11.1 of FCC Tariff No. 1 at page 7-325.

<sup>2</sup> DS3 radio interface is listed in Section 7.12.1 of FCC Tariff No. 1 at page 7-376.

interface. Qwest seeks to discontinue DS1 radio interface and DS3 radio interface by June 28, 2005, or as soon thereafter as the necessary regulatory approvals can be obtained. Qwest further states that it is a dominant carrier in the states where it offers the services to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, Qwest's application will be deemed to be automatically granted on the sixtieth (60<sup>th</sup>) day after the release date of this public notice, unless the Commission notifies Qwest that the grant will not be automatically effective. Accordingly, to the extent these services are subject to section 63.71(c), absent further Commission action, Qwest may not terminate service until **June 28, 2005**. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **May 31, 2005**. Such comments should refer to **WC Docket No. 05-178 and Comp. Pol. File No. 708**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the subject line "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or Denise Coca, (202) 418-0574 (voice), [denise.coca@fcc.gov](mailto:denise.coca@fcc.gov) of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

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